

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE FIRST JUDICIAL DISTRICT
COUNTY OF DORCHESTER)	CIVIL ACTION NO.: 2022-CP-18-_____
Galaya Belskaya,)	
)	
Plaintiff,)	SUMMONS
)	
vs.)	
)	
Walmart, Inc.,)	
)	
Defendant.)	
_____)	

TO: THE DEFENDANT NAMED ABOVE:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is served upon you, and to serve a copy of your written response to said Complaint on the subscribers at the law office of KOONTZ MLYNARCZYK LLC, 1058 East Montague Avenue, North Charleston, South Carolina 29405, within thirty (30) days after the date of service hereof, exclusive of the day of service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint.

KOONTZ MLYNARCZYK, LLC

s/Ryan A. Love

Ryan A. Love (S.C. Bar No. 103456)
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January 10, 2022
 North Charleston, South Carolina

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE FIRST JUDICIAL DISTRICT
COUNTY OF DORCHESTER)	CIVIL ACTION NO.: 2022-CP-18-_____
Galaya Belskaya,)	
)	
Plaintiff,)	COMPLAINT
)	(Jury Trial Demanded)
vs.)	
)	
Walmart, Inc.,)	
)	
Defendant.)	
_____)	

COMES NOW Plaintiff, Galaya Belskaya (“Plaintiff”), by and through undersigned counsel, complaining of Defendant Walmart, Inc., and alleges and states as follows:

PARTIES/JURISDICTION

1. Plaintiff is an individual adult resident of Dorchester County, South Carolina.
2. Upon information and belief, Defendant Walmart, Inc. is a corporation organized and existing pursuant to the laws of Delaware, and at all times relevant hereto was authorized to do business in South Carolina.
3. All acts and omissions giving rise to this Complaint occurred in Dorchester County, South Carolina.
4. This Honorable Court has jurisdiction over the subject matter hereof, the parties hereto, and venue is proper in this forum.

FACTUAL ALLEGATIONS

5. Plaintiff hereby restates each and every allegation contained in the preceding paragraphs as if fully set forth herein.
6. On January 11, 2019, Plaintiff visited the Walmart store located at 9880 Dorchester Road, Summerville, South Carolina (the, “Store”).

7. Upon arriving at the Store, Plaintiff got a shopping cart and began to shop for groceries.
8. While pushing her cart through the Store's meat department, Plaintiff encountered a foreign substance on the floor, causing her to slip, fall, and suffer injuries.
9. Plaintiff could not and did not notice the foreign substance on the floor.
10. Plaintiff's injuries were of such a nature as to require her to expend monies for doctors' care and other medical necessities.

FOR A FIRST CAUSE OF ACTION

(Negligence/Gross Negligence/Negligence per se)

11. Plaintiff hereby realleges each and every allegation contained in the preceding paragraphs as if fully set forth herein.
12. Defendant owed a duty to Plaintiff to exercise reasonable and/or ordinary care for Plaintiff's safety.
13. Through the carelessness, negligence, recklessness, willfulness, wantonness, and heedlessness of Defendant and its agent and employees' action, Defendant breached this duty in the following particulars:
 - a. In failing and omitting to exercise reasonable care in maintaining the store in a reasonably safe condition, so as to safeguard the public and particularly the Plaintiff, from injuries;
 - b. In failing and omitting to exercise ordinary care to maintain the store;
 - c. In allowing the store to remain dangerous when, Defendant, its agent, and employees knew or should have known that failure to correct the dangerous condition would render the store highly dangerous to its customers;

- d. In failing and omitting to keep the store in such reasonable condition as to protect the public and especially the Plaintiff while conducting herself in a reasonable and ordinary way, from being injured;
 - e. In failing and omitting to give any or adequate warning to Plaintiff of the unsafe condition of the store;
 - f. In failing and omitting to take any precautions whatsoever of a reasonable nature to protect the Plaintiff from the dangers of the store on the occasion that Plaintiff was using same;
 - g. In failing to consider the safety of its customers;
 - h. In failing and omitting to exercise due care for the safety of its customers under the circumstances prevailing and existing at said time and place;
 - i. In failing to properly train its employees/agents in a reasonable manner;
 - j. In failing to exercise the degree of care and caution that a reasonable and prudent person would have exercised under the circumstances then and there prevailing;
 - k. In failing to keep safe the walkways of the subject premises;
 - l. In creating a hazardous condition for its customers;
 - m. In failing to warn of a hazardous condition at their premises;
 - n. In any other acts which represent a breach of the statutory or common law of the State of South Carolina; and
 - o. In any other such manner that Plaintiff may become aware of through discovery and/or at trial.
14. As a direct and proximate result of the negligence, carelessness, recklessness, and willfulness of Defendant, its agents, and employees, Plaintiff was injured, has endured pain and

suffering, has suffered mentally and emotionally and incurred, and will continue to incur, various medical expenses, and otherwise has been damaged and injured.

FOR A SECOND CAUSE OF ACTION
(Premise Liability)

15. Plaintiff hereby realleges each and every allegation contained in the preceding paragraphs as if fully set forth herein.

16. Plaintiff was an invite of Defendant.

17. Defendant owed Plaintiff a duty of care to discover risks and take safety precautions to warn of or eliminate such risks.

18. The risk caused by the foreign substances on the floor existed for a sufficient amount of time to be discovered and remedied by Defendant.

19. Defendant breached its duty of care when it failed to discover the apparent risk to Plaintiff involving the foreign substance on the floor and failed to take even minor precautions to warn of or eliminate said risk.

20. As a direct and proximate result of Defendant's breach of its duty to Plaintiff, Plaintiff has suffered actual, consequential, and resulting damages in an amount to be determined by the trier of fact.

WHEREFORE, having fully complained of Defendant Walmart, Inc., Plaintiff Galaya Belskaya hereby respectfully requests a trial by jury, judgment in her favor and against Defendant, for actual, consequential resulting, and punitive damages in an amount to be determined by the trier of fact, and any further relief as this Honorable Court may deem just and proper.

(SIGNATURE ON NEXT PAGE)

KOONTZ MLYNARCZYK, LLC

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